

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Jamestown Homes LLLP **FILE #:** 16-000-819
  2. **APPLICANT:** Jamestown Homes LLLP **HEARING DATE:** January 28, 2016
  3. **TYPE OF APPLICATION:** Rezoning - Consent
  4. **LOCATION:** 586 Central Ave W, area bounded by Dale, Central, Kent, and Saint Anthony
  5. **PIN & LEGAL DESCRIPTION:** 36.29.23.32.0078; Mackubin and Marshall's Addition, Lots 1 thru 14 and Lots 20 thru 30, Block 11
  6. **PLANNING DISTRICT:** 8 **EXISTING ZONING:** RM2
  7. **ZONING CODE REFERENCE:** § 61.801(b)
  8. **STAFF REPORT DATE:** January 20, 2016 **BY:** Tony Johnson
  9. **DATE RECEIVED:** January 5, 2016 **60-DAY DEADLINE FOR ACTION:** March 5, 2016
- 

- A. **PURPOSE:** Rezone from RM2 Multiple Family Residential to T2 Traditional Neighborhood.
- B. **PARCEL SIZE:** 130,597 sq. ft.
- C. **EXISTING LAND USE:** Multi-family residential
- D. **SURROUNDING LAND USE:**
  - North: Community Action Partnership/Head Start, Antioch Youth & Family Center, and Townhomes (RM1)
  - South: Omar's Auto (B2), Interstate 94
  - East: Central Hi-Rise Apartments (RM3)
  - West: Storage Garage (B2) and Saint James African Methodist/Episcopal Church (RM1)
- E. **ZONING CODE CITATION:** § 61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** In March 2015 the applicant submitted a site plan review application for renovation of the property and received the comment that the proposed changes would require a variance for parking or rezoning to a traditional neighborhood district, which would eliminate the parking requirement for this site within ¼ mile of an LRT station.
- G. **DISTRICT COUNCIL RECOMMENDATION:** No comments from District 8 as of Jan. 20.
- H. **FINDINGS:**
  1. The Twin Cities Housing Development Corporation is planning to make substantial renovations to the interior and exterior of the property. Proposed exterior renovations include play area improvements, new landscaping, adding 4 handicapped parking spaces near 4 units that are being made fully handicap accessible, and reconfiguring the parking lots including making the nonconforming parking setback adjacent to Kent St. conforming. The applicant is seeking a rezoning from RM2 to T2 in order to reduce the amount of surface parking from 89 spaces to 63 spaces. Under RM2 zoning the property currently has a legal nonconforming parking deficiency. Under T2 zoning the minimum parking requirement is eliminated for property within ¼ mile of LRT service on University Avenue, which applies to this property. The applicant has provided information showing that the proposed reduced amount of off-street parking is more than enough to meet the need here.

2. The applicant has submitted an application to split off the vacant northwest portion of the site as a separate lot for future development. Rezoning the parcel to T2 will allow a broader range of land uses and provide for transit-oriented mixed-use development for this site near an LRT station, consistent with surrounding commercial, institutional, and multi-family residential development.
3. The proposed T2 zoning is consistent with the way this area has developed. Dale Street has a mix of commercial, institutional, and residential uses, characteristic of the type of development that is permitted within the T2 traditional neighborhood zoning district. More recently, higher density mixed-used development has occurred at the intersection of University and Dale, which is zoned T3. T2 is also consistent with the RM1 and RM3 zoning and development north and east of the site.
4. The proposed zoning is consistent with the Comprehensive Plan, which identifies the majority of the parcel as being within a mixed-use corridor. The proposed zoning is also consistent with the Dale Street Station Area Plan which identifies the subject parcel as being part of the "South Entry", and "well situated for future residential or small scale employment uses."
5. The proposed T2 zoning is compatible with the surrounding land uses. There is a mix of residential, commercial, and institutional land uses adjacent to the site. The T2 traditional neighborhood district permits a variety of uses similar to those that exist in the area.
6. Court rulings have determined that "spot zoning" is illegal in Minnesota. Minnesota courts have stated that this term "*applies to zoning changes, typically limited to small plots of land, which establish a use classification inconsistent with the surrounding uses and create an island of nonconforming use within a larger zoned property.*" The proposed T2 zoning is not spot zoning because the T2 uses are consistent with the surrounding multifamily residential and commercial zoning designations and uses.
7. The petition for rezoning was found to be sufficient on 12/29/2015: 11 parcels eligible, 8 parcels required, owners of 8 parcels signed.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from RM2 Multiple Family Residential to T2 Traditional Neighborhood.

**PETITION TO AMEND THE ZONING CODE**

Tentative Hearing Date:  
1-28-16



**PETITION TO AMEND THE ZONING CODE**  
Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

PD=8

Zoning Office Use Only
File #: <u>16-000819</u>
Fee: <u>1700<sup>00</sup></u>

#362923320078

**APPLICANT**

Property Owner Jamestown Homes, LLLP  
c/o TCHDC Jamestown Homes, LLC  
 Address 400 Selby Avenue, Ste. C  
 City St. Paul State MN Zip 55102 Daytime Phone 651-292-0211 x225

**PROPERTY LOCATION**

Address/Location 586 Central Avenue  
 Legal Description See attached legal description

**TO THE HONORABLE MAYOR AND CITY COUNCIL:**

Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statutes, Jamestown Homes, LLLP, owner of land proposed for rezoning, hereby petitions you to rezone the above described property from a RM-2 zoning district to a T-2 zoning district, for the purpose of:

Substantial rehabilitation of existing apartment development

(Attach additional sheets if necessary)

Attachments as required:  Site Plan  Consent Petition  Affidavit

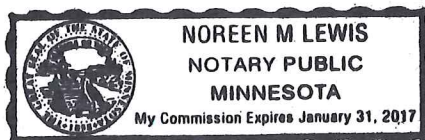
Subscribed and sworn to before me

Date Dec. 18<sup>th</sup> 2015

N. Lewis  
Notary Public

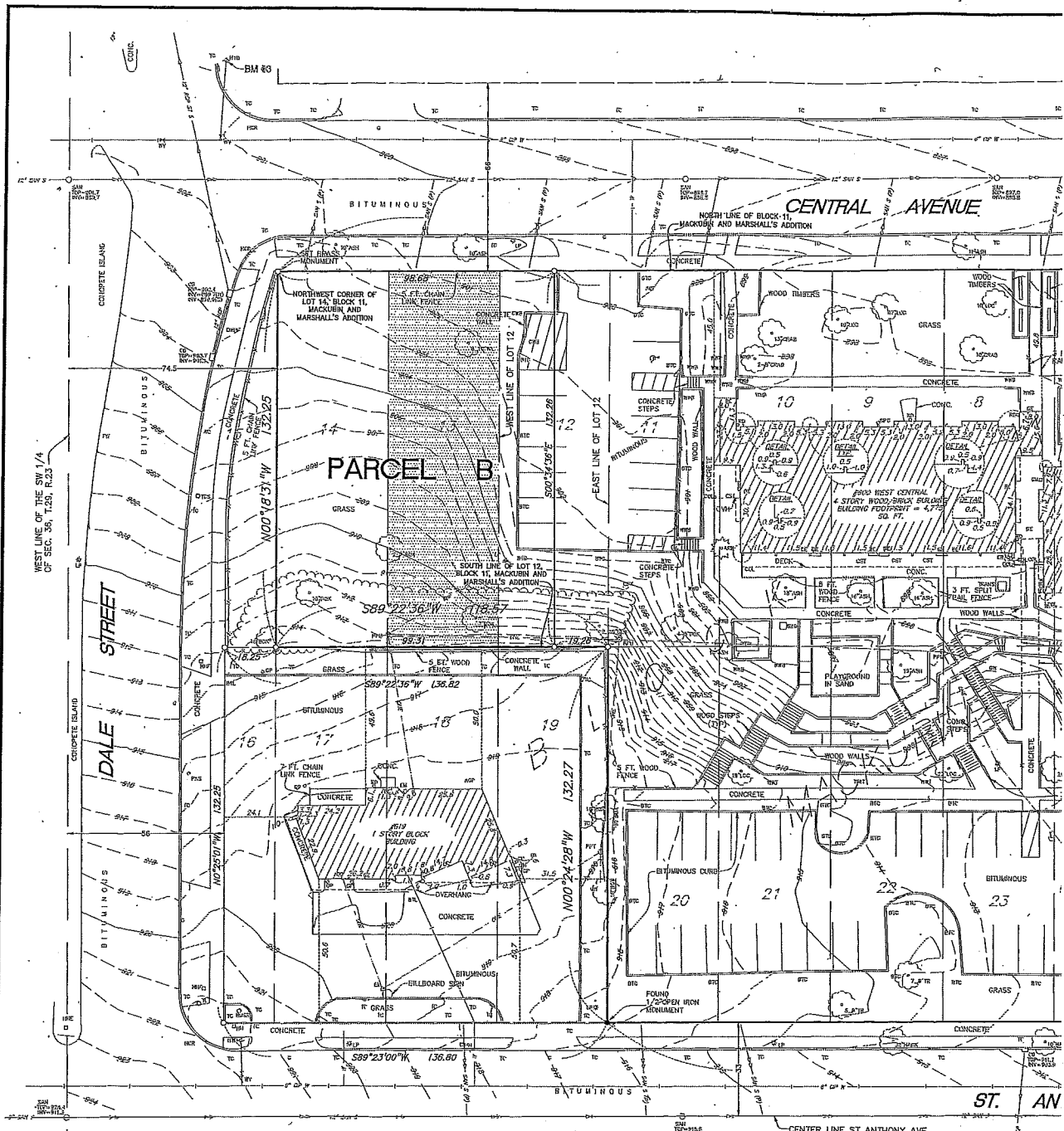
Jamestown Homes, LLLP  
By: Barbara M. McQuillan  
Barbara M. McQuillan, Chief Mgr.  
Fee owner of property  
TCHDC Jamestown Homes, LLC  
General Partner

ck 20727  
1700  
12-18-15-add









**OVERALL DESCRIPTION OF PROPERTY SURVEYED**

(Per Stewart Title Guaranty Company Commitment for Title Insurance File No. 59355 Supplemental No. 1, effective date March 30, 2014, issued by Guaranty Commercial Title, Inc.)

Lots One (1) through Fourteen (14) and Lots Twenty (20) through Thirty (30), Block Eleven (11), Mackubin and Marshall's Addition, according to the recorded plat thereof, Ramsey County, Minnesota.

Part of the above being registered land as evidenced by Certificate of Title No. 301212

NOTE: The Torrens portion being more particularly described as follows: Lots 13, 27 and 28, Block 11, Mackubin and Marshall's Addition.

**PLAT RECORDING INFORMATION**

The plat of MACKUBIN AND MARSHALL'S ADDITION TO SAINT PAUL was filed of record in 1855.

[ ] Bearings and/or-dimensions listed within brackets are per plat or record documents.

**TITLE COMMITMENT**

Stewart Title Guaranty Company Commitment for Title Insurance File No. 59355 Supplemental No. 1, effective date March 30, 2014, issued by Guaranty Commercial Title, Inc. was relied upon as to matters of record.

**DESCRIPTION OF PARCEL A**

Lots 1 through 11 and Lots 20 through 30, Block 11, MACKUBIN AND MARSHALL'S ADDITION, according to the recorded plat thereof, Ramsey County, Minnesota, and part of Lot 12, said Block 11, MACKUBIN AND MARSHALL'S ADDITION, lying east of a line described as commencing at the northwest corner of Lot 14, of said Block 11, MACKUBIN AND MARSHALL'S ADDITION; thence North 89 degrees 22 minutes 13 seconds East, along the north line of said Block 11, a distance of 95.85 feet to the point of beginning of the line to be described; thence North 00 degrees 34 minutes 35 seconds East 132.25 feet to the south line of said Lot 12 and said line there terminating.

Abstract and Torrens property.

**DESCRIPTION OF PARCEL B**

Lots 13 and 14, Block 11, MACKUBIN AND MARSHALL'S ADDITION, according to the recorded plat thereof, Ramsey County, Minnesota, and part of Lot 12, said Block 11, MACKUBIN AND MARSHALL'S ADDITION, lying west of a line described as commencing at the northwest corner of said Lot 14; thence North 89 degrees 22 minutes 13 seconds East, along the north line of said Block 11, a distance of 95.85 feet to the point of beginning of the line to be described; thence South 00 degrees 34 minutes 35 seconds East 132.25 feet to the south line of said Lot 12 and said line there terminating.

Abstract and Torrens property.

**AREAS**

PARCEL A = 117,841 square feet or 2.705 acres  
 PARCEL B = 13,092 square feet or 0.301 acres  
 TOTAL = 130,933 square feet or 3.006 acres

**RECEIVED**  
 DEC 15 2015  
 BY: \_\_\_\_\_

11/17/2015 10:23:48 AM  
 C:\Users\Public\Desktop\Public\11/17/2015 10:23:48 AM  
 11/17/2015 10:23:48 AM

# Jamestown Homes Parking Study

Date	Day	Time	# Cars	# Cars	Observer
			South Lot on St.	Smaller West Lot on Central	
6/17/14	Tues	9:15 AM	20	2	DP
6/18/14	Wed	6:45AM	23	4	PM
6/18/14	Wed	8:15PM	15	6	FE
6/18/14	Wed	11:30 AM	18	3	DP
6/19/14	Thrus	7:15AM	24	5	PM
6/19/14	Thrus	6:20pm	24	5	FE
6/19/14	Thrus	8:15pm	28	5	FE
6/19/14	Thurs	8:50 AM	23	4	DP
6/20/14	Fri	10:10 AM	21	6	DP
6/20/14	Fri	7:15AM	26	6	PM
6/20/14	Fri	8:10PM	23	4	FE
6/21/14	Sat	11:20PM	19	6	FE
6/22/14	Sun	12:35PM	13	3	FE
6/23/14	Mon	7:20 AM	26	6	PM
<hr/>					
10/20/15	Tues	8:30AM	20	3	GS
10/21/15	Wed	3:00PM	22	4	GS
10/22/15	Thurs	9:00AM	25	2	GS
10/23/15	Fri	2:30 PM	15	3	GS
10/26/15	Mon	9:00AM	21	2	GS
10/28/15	Wed	8:30AM	22	1	GS
10/29/15	Thrus	2:30 PM	21	3	GS
10/30/15	Fri	9:00AM	16	2	GS
11/2/15	Mon	8:30AM	18	6	GS
11/3/15	Tue	2:30 PM	19	4	GS
11/4/15	Wed	8:30AM	22	3	GS
11/6/15	Fri	9:00AM	26	3	GS
11/7/15	Sat	4:00PM	23	2	PM
11/9/15	Mon	8:30AM	18	5	GS
11/10/15	Tue	2:30 PM	21	5	GS
11/11/15	Wed	2:30 PM	16	6	GS
11/12/15	Thu	8:30AM	15	7	GS
11/13/15	Fri	3:00PM	20	6	GS
11/16/15	Mon	9:45 AM	20	4	GS
11/17/15	Tue	2:30 PM	18	5	GS
11/19/15	Thu	9:00AM	19	7	GS

11/20/15	Fri	8:30AM	20	3	GS
11/23/15	Mon	8:30AM	25	5	GS
11/24/15	Tue	2:30 PM	23	6	GS
11/25/15	Wed	8:30AM	24	4	GS
11/27/15	Fri	1:45PM	24	6	GS
11/30/15	Mon	9:00AM	24	3	GS
12/1/15	Tue	8:30AM	25	4	GS
12/2/15	Wed	3:00PM	21	2	GS
12/3/15	Thu	8:30AM	25	4	GS
12/4/15	Fri	9:00AM	20	7	GS
12/7/15	Mon	8:30AM	24	2	GS
12/8/15	Tue	1:30PM	22	5	GS
12/9/15	Wed	3:00PM	23	6	GS
12/10/15	Thu	8:30AM	20	4	GS
12/11/15	Fri	1:45PM	22	2	KJI
12/14/15	Mon	8:30AM	20	5	KJI
12/15/15	Tue	1:45PM	18	3	GS
12/16/15	Wed	3:00PM	20	2	GS
12/17/15	Thu	9:00AM	21	4	GS
12/18/15	Fri	3:00PM	18	4	GS

**Average Total**

			<b>21</b>	<b>4</b>	
6/17/14	Tues	9:15 AM	20	2	DP
6/18/14	Wed	6:45AM	23	4	PM
6/18/14	Wed	11:30 AM	18	3	DP
6/19/14	Thrus	7:15AM	24	5	PM
6/19/14	Thurs	8:50 AM	23	4	DP
6/20/14	Fri	10:10 AM	21	6	DP
6/20/14	Fri	7:15AM	26	6	PM
6/23/14	Mon	7:20 AM	26	6	PM
10/20/15	Tues	8:30AM	20	3	GS
10/22/15	Thurs	9:00AM	25	2	GS
10/26/15	Mon	9:00AM	21	2	GS
10/28/15	Wed	8:30AM	22	1	GS
10/30/15	Fri	9:00AM	16	2	GS
11/2/15	Mon	8:30AM	18	6	GS
11/4/15	Wed	8:30AM	22	3	GS
11/6/15	Fri	9:00AM	26	3	GS
11/9/15	Mon	8:30AM	18	5	GS
11/12/15	Thu	8:30AM	15	7	GS
11/16/15	Mon	9:45 AM	20	4	GS
11/19/15	Thu	9:00AM	19	7	GS



11/20/15	Fri	8:30AM	20	3	GS
11/23/15	Mon	8:30AM	25	5	GS
11/25/15	Wed	8:30AM	24	4	GS
11/30/15	Mon	9:00AM	24	3	GS
12/1/15	Tue	8:30AM	25	4	GS
12/3/15	Thu	8:30AM	25	4	GS
12/4/15	Fri	9:00AM	20	7	GS
12/7/15	Mon	8:30AM	24	2	GS
12/10/15	Thu	8:30AM	20	4	GS
12/14/15	Mon	8:30AM	20	5	KJI
12/17/15	Thu	9:00AM	21	4	GS
<b>AM Average</b>			<b>22</b>	<b>4</b>	
6/18/14	Wed	8:15PM	15	6	FE
6/19/14	Thrus	6:20pm	24	5	FE
6/19/14	Thrus	8:15pm	28	5	FE
6/20/14	Fri	8:10PM	23	4	FE
6/21/14	Sat	11:20PM	19	6	FE
6/22/14	Sun	12:35PM	13	3	FE
10/21/15	Wed	3:00PM	22	4	GS
10/23/15	Fri	2:30 PM	15	3	GS
10/29/15	Thrus	2:30 PM	21	3	GS
11/3/15	Tue	2:30 PM	19	4	GS
11/7/15	Sat	4:00PM	23	2	PM
11/10/15	Tue	2:30 PM	21	5	GS
11/11/15	Wed	2:30 PM	16	6	GS
11/13/15	Fri	3:00PM	20	6	GS
11/17/15	Tue	2:30 PM	18	5	GS
11/24/15	Tue	2:30 PM	23	6	GS
11/27/15	Fri	1:45PM	24	6	GS
12/2/15	Wed	3:00PM	21	2	GS
12/8/15	Tue	1:30PM	22	5	GS
12/9/15	Wed	3:00PM	23	6	GS
12/11/15	Fri	1:45PM	22	2	KJI
12/15/15	Tue	1:45PM	18	3	GS
12/16/15	Wed	3:00PM	20	2	GS
12/18/15	Fri	3:00PM	18	4	GS
<b>PM Average</b>			<b>20</b>	<b>4</b>	

ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED:

12-18-15

DATE PETITION RESUBMITTED: \_\_\_\_\_

DATE OFFICIALLY RECEIVED: \_\_\_\_\_

DATE OFFICIALLY RECEIVED: \_\_\_\_\_

PARCELS ELIGIBLE:

11

PARCELS ELIGIBLE: \_\_\_\_\_

PARCELS REQUIRED:

8

PARCELS REQUIRED: \_\_\_\_\_

PARCELS SIGNED:

8

PARCELS SIGNED: \_\_\_\_\_

CHECKED BY:

Paul Dubruic

DATE:

12-29-15

CITY OF SAINT PAUL

AFFIDAVIT OF PETITIONER FOR A REZONING

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY )

The petitioner, Ken Isaacson, being first duly sworn, deposes and states that the consent petition contains signatures of the owners of at least two-thirds (2/3) of all eligible properties within 100 feet of the subject property described in the petition and all property contiguous to the subject property that was owned, purchased, or sold by the petitioner within one (1) year preceding the date of the petition; petitioner is informed that the consent petition must contain signatures from each and all owners of jointly-owned property in order to constitute consent from that property and that failure to obtain consent from each and all owners could invalidate the consent petition; petitioner believes that the consent petition was signed by each of said owners and that the signature are the true and correct signatures of each and all of the parties so described.

*Ken Isaacson*

Ken Isaacson

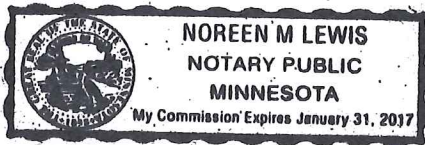
NAME Development Manager, TCHDC

400 Selby Avenue, Ste. C

ADDRESS St. Paul, MN 55102

651-292-0211 x225

TELEPHONE NUMBER



Subscribed and sworn to before me this 18<sup>th</sup> day of Dec, 2015

*N. Lewis*

NOTARY PUBLIC

CITY OF SAINT PAUL


AFFIDAVIT OF PERSON CIRCULATING CONSENT  
PETITION FOR A REZONING

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

Ken Isaacson, being first duly sworn, deposes and states that he/she is the person who circulated the consent petition consisting of 1 pages; that affiant is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name, and that each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition and all properties contiguous to the subject property that was owned, purchased or sold by the petitioner within one (1) year preceding the date of the petition; that the consent petition was signed by each said owner; and the signatures are the true and correct signatures of each and all of the parties so described.



Ken Isaacson

NAME

Development Manager, TCHDC

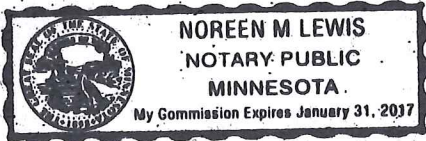
ADDRESS

400 Selby Avenue, Ste C

St Paul, MN 55102

651-292-0211 x 225

TELEPHONE NUMBER



Subscribed and sworn to before me this

18<sup>th</sup> day of Dec, 2015



NOTARY PUBLIC

# CITY OF SAINT PAUL

## CONSENT OF ADJOINING PROPERTY OWNERS FOR A REZONING

We, the undersigned, owners of the property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

1. A copy of the petition of Jamestown Homes, LLLP (TCHDC)  
(name of petitioner)  
to rezone the property located at 586 Central Avenue,  
from a RM2 zoning district to a T2 zoning district and
2. A copy of sections 66.311 through 66.345, inclusive of the Saint Paul Zoning Code.

We acknowledge that we are aware of all of the uses permitted in a T-2 zoning district, and we are aware that any of these uses can be established upon City Council approval of the rezoning. We hereby consent to the rezoning of the property in the petition of

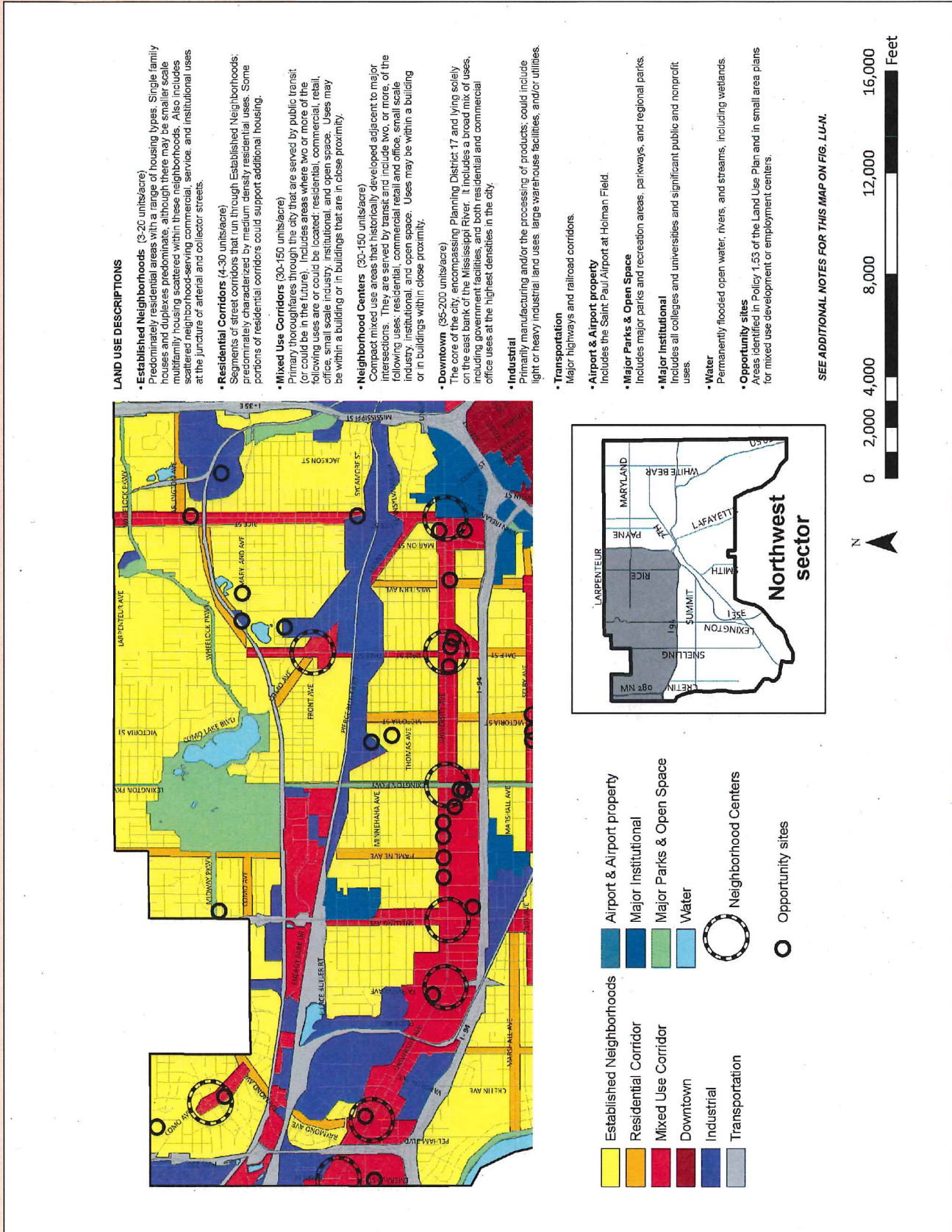
Jamestown Homes, LLLP to a T-2 zoning district.  
(name of petitioner)

We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN #	RECORD OWNER	SIGNATURE	DATE
580 Fuller Ave	Antioch Youth + Family ctr	Debra Messenger	3/18/15
586 Fuller Ave	City of St. Paul	Bruce Lythcott RE Mgr	5/15/15
400 Dale Street	City of St. Paul	Bruce Lythcott RE Mgr	5/15/15
571 St. Anthony	Jamestown Homes, LLLP	Bruce Lythcott RE Mgr	10/27/2015
36-29-23-32-0066	Central Village Association	Pamela Nelson, President Central Village Assoc, Inc	12-17-15
36-29-23-32-0069	Central Village Association	Pamela Nelson, President Central Village Assoc, Inc	12-17-15
36-29-23-32-0071	Central Village Association	Pamela Nelson, President Central Village Assoc, Inc	12-17-15
36-29-23-32-0072	Central Village Association	Pamela Nelson, President Central Village Assoc, Inc	12-17-15

**NOTE:** This petition shall not be considered as officially filed until the lapse of seven (7) working days after it is received by the Planning Division. Any signator of this petition may withdraw his/her name therefrom by written request within that time.

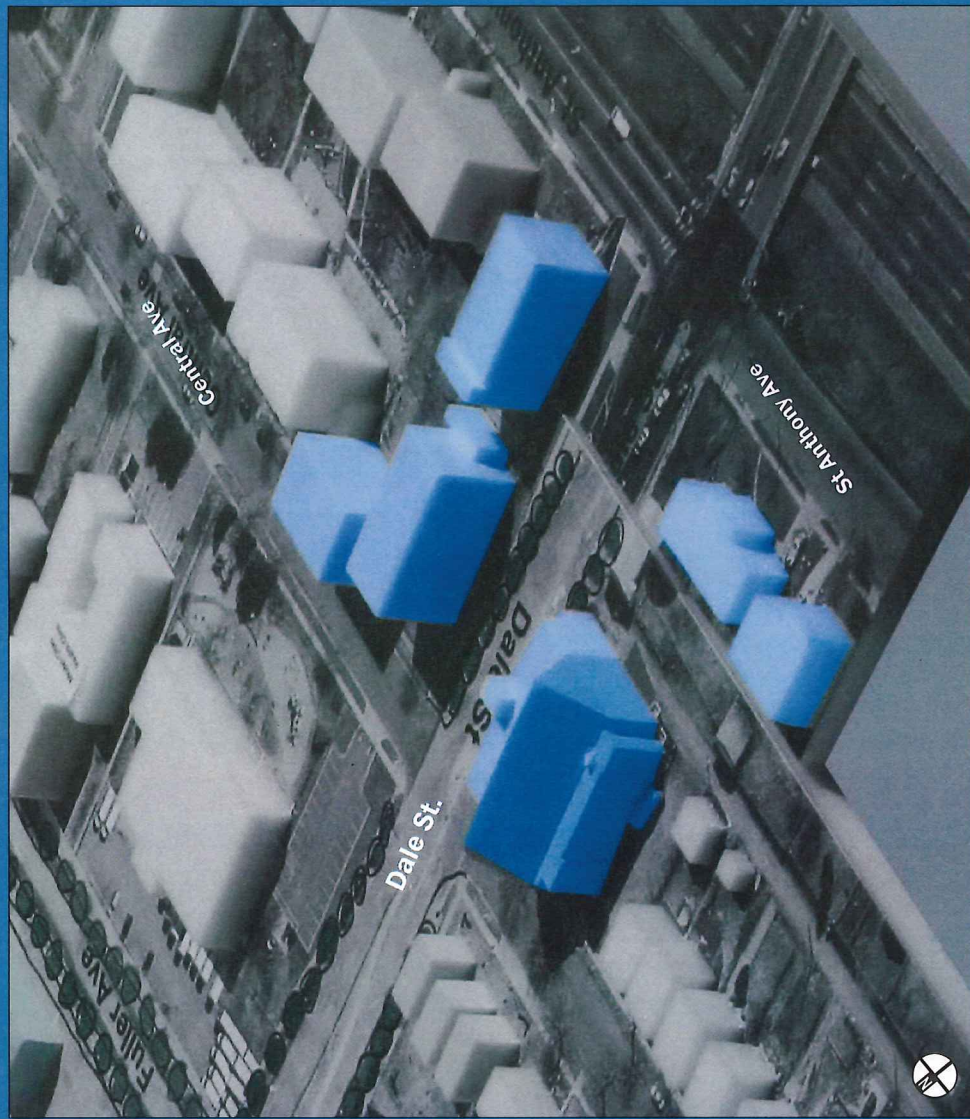
FIGURE LU-L. GENERALIZED 2030 LAND USES, NORTHWEST SECTOR



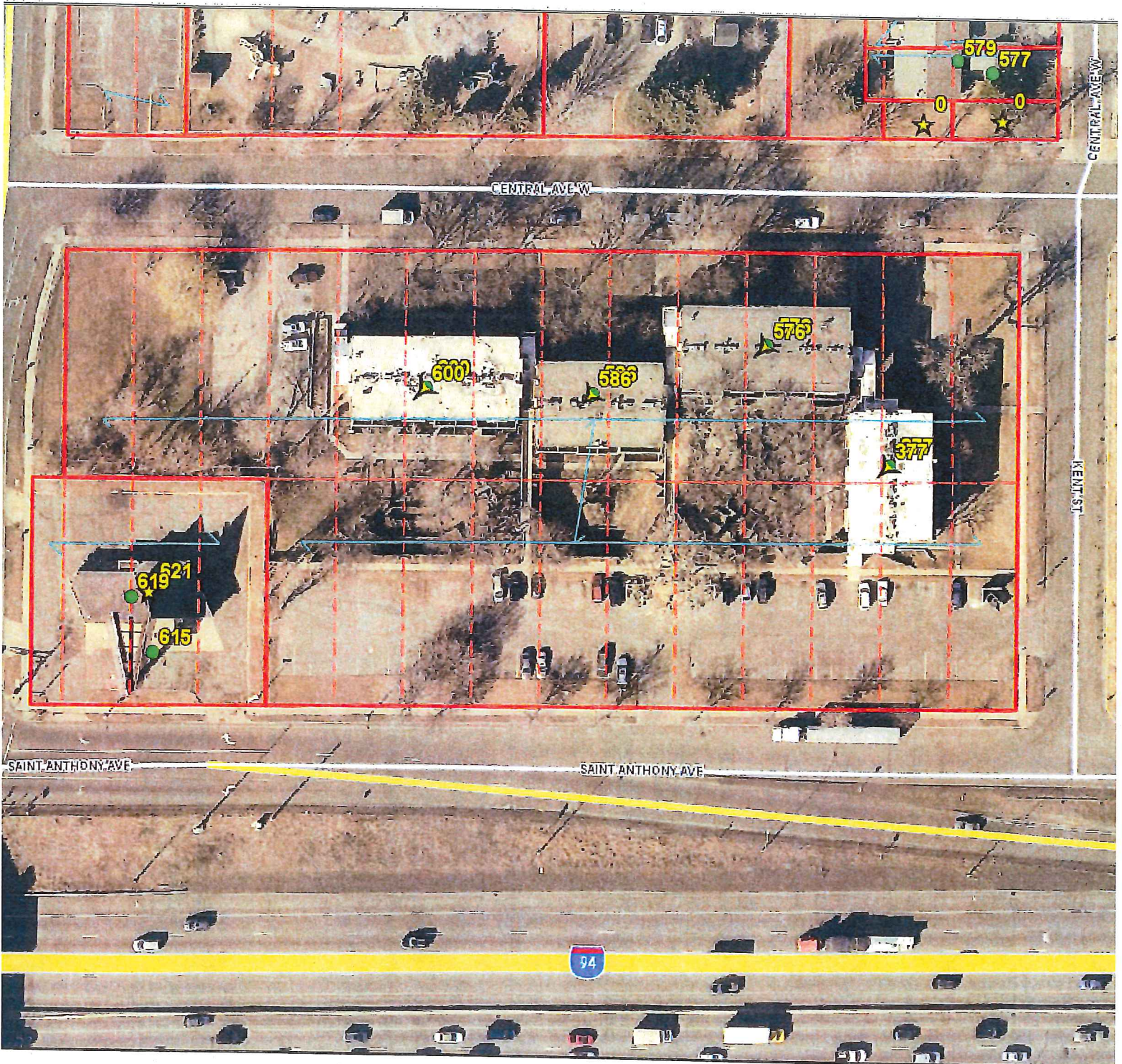
#### 4.4 Marking the South Entry

##### **An array of underutilized parcels fronting St. Anthony Avenue and along Dale Street leave large gaps in an area well situated for future residential or small scale employment uses.**

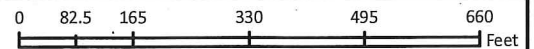
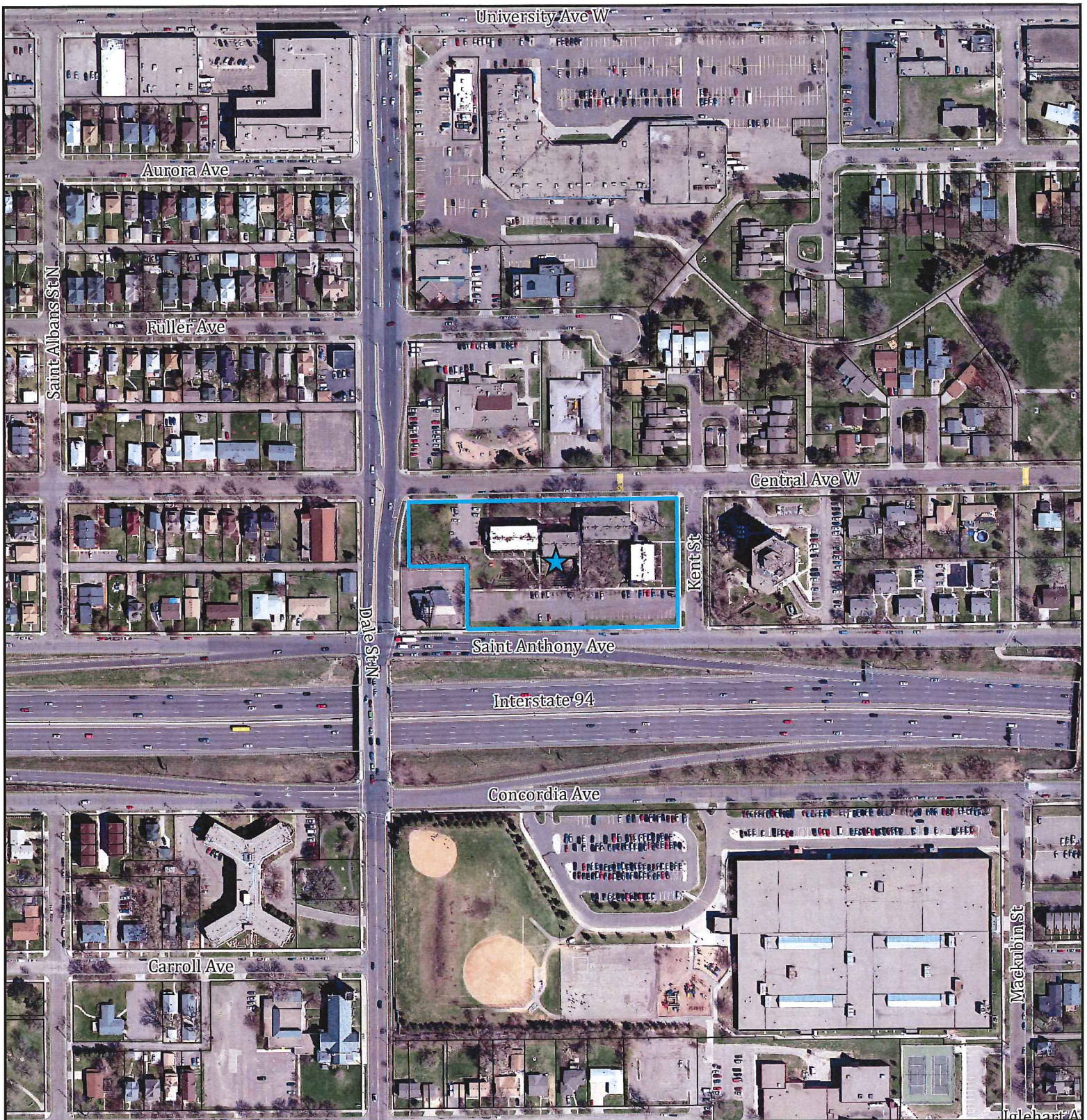
Significant opportunity exists through future infill redevelopment to mark this southern entryway to the Dale Station Area. Community landmarks such as the Tiger Jack Shack have a long history in the neighborhood, but would benefit from greater utilization and improved landscape treatment. New development should help to repair these edges and strengthen this gateway into the Historic Rondo community.



**FIGURE 4.8** - The model illustrates the potential to improve the entrance to the Dale Station Area north of Interstate 94.








FILE NAME: Jamestown Homes LLLP

Aerial

APPLICATION TYPE: Rezone

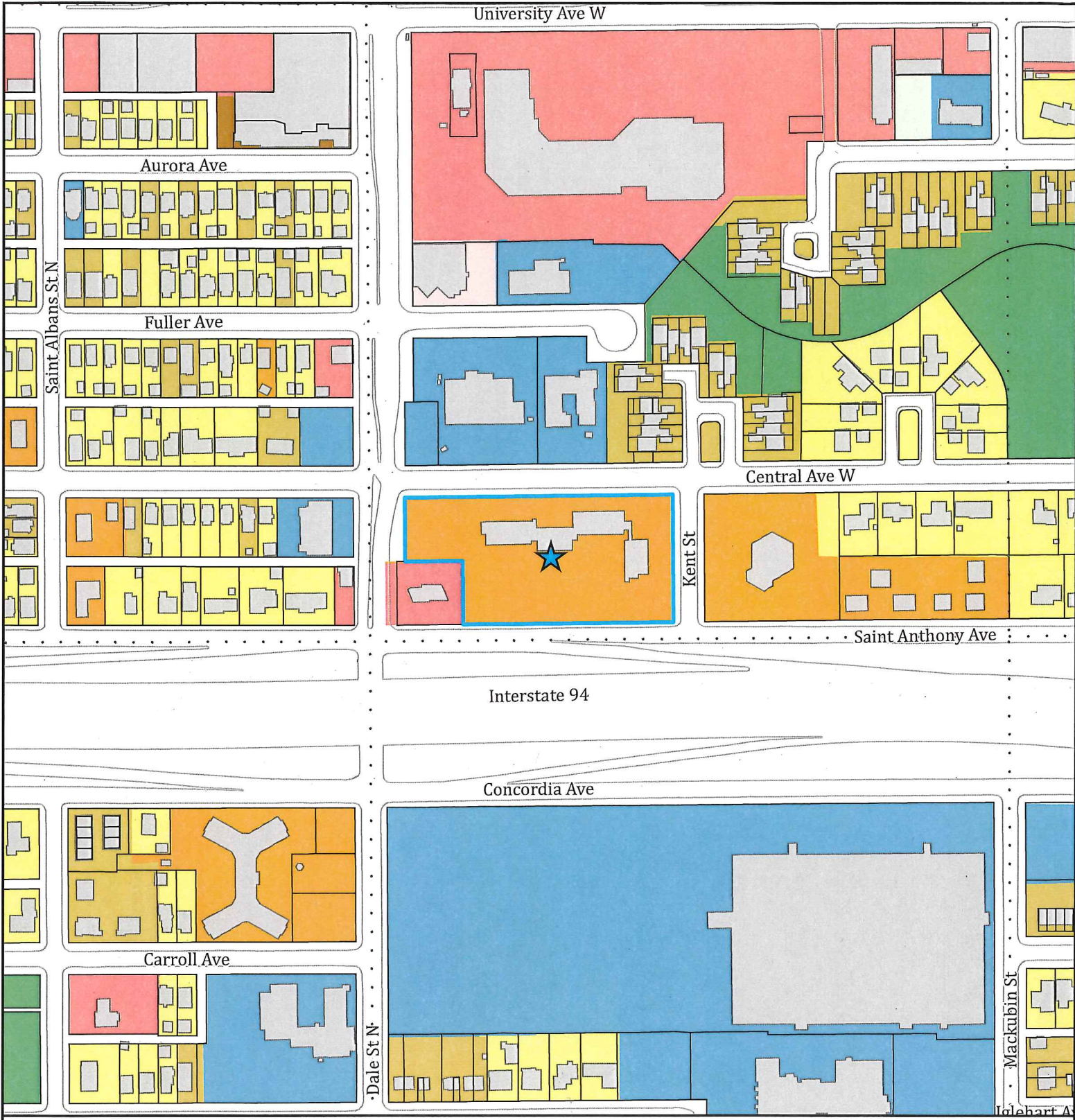
 Subject Parcels

FILE #: 16-000819      DATE: 1/5/2016

PLANNING DISTRICT: 8

ZONING PANEL: 15





FILE NAME: Jamestown Homes LLLP

APPLICATION TYPE: Rezone

FILE #: 16-000819      DATE: 1/5/2016

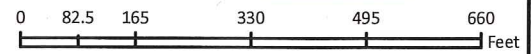
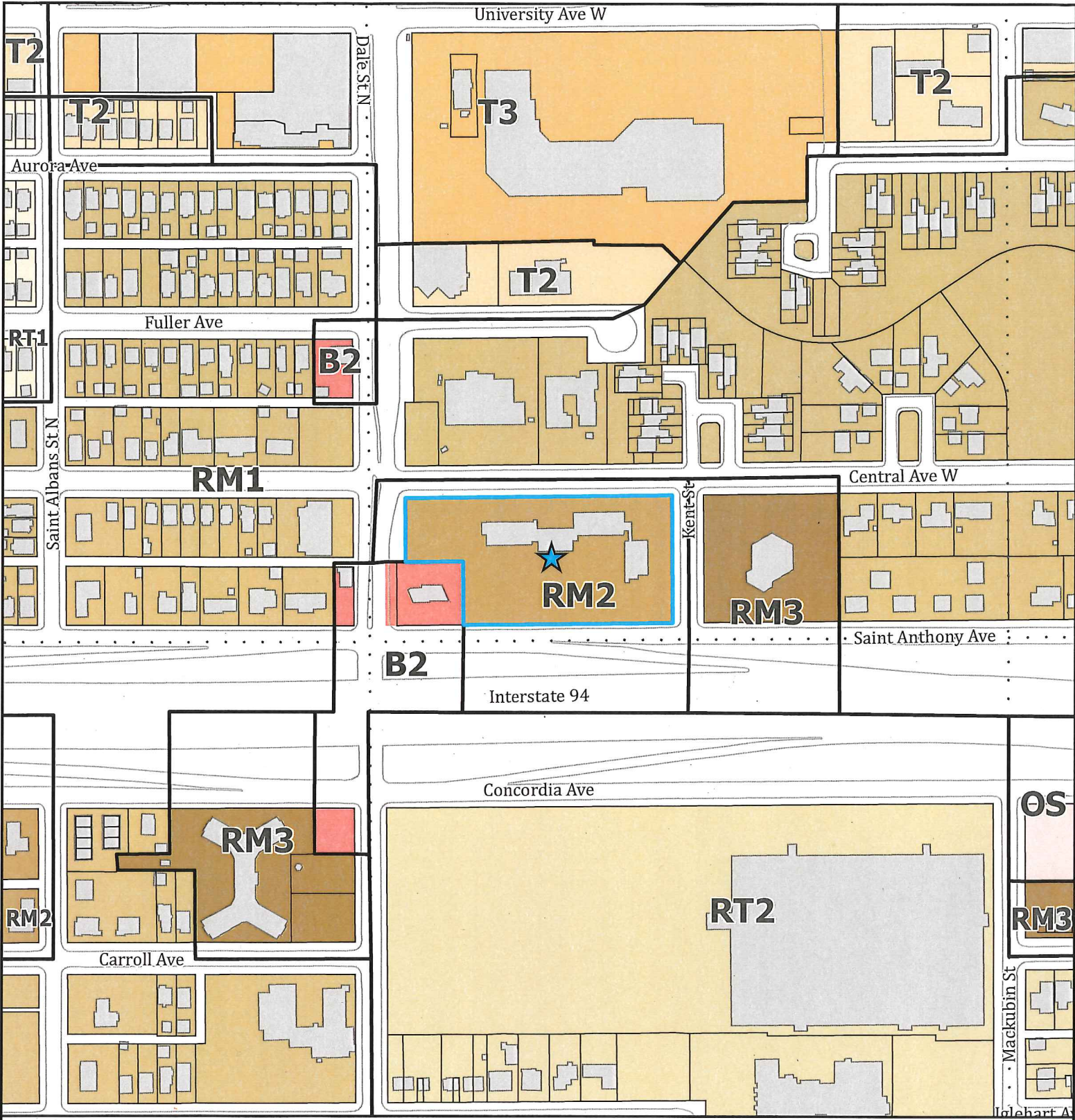
PLANNING DISTRICT: 8

ZONING PANEL: 15

**Land Use**

Single Family Detached	Park, Recreational or Preserve
Single Family Attached	Undeveloped
Multifamily	Subject Parcels
Office	Section Lines
Retail and Other Commercial	
Mixed Use Residential	
Institutional	





FILE NAME: Jamestown Homes LLLP  
 APPLICATION TYPE: Rezone  
 FILE #: 16-000819      DATE: 1/5/2016  
 PLANNING DISTRICT: 8  
 ZONING PANEL: 15

- Zoning**
- RT1 Two-Family
  - RT2 Townhouse
  - RM1 Multiple-Family
  - RM2 Multiple-Family
  - RM3 Multiple-Family
  - T2 Traditional Neighborhood
  - T3 Traditional Neighborhood
  - OS Office-Service
  - B2 Community Business
  - Subject Parcels
  - Section Lines

